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NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

BEN CASILLAS JR; APRIL CASILLAS;
SAUL SANCHEZ; and LILIAN SOTO,

Plaintiff,

v.

BAYER CORPORATION and DOES 1 to
100, inclusive

Defendants.

APRIL CASILLAS, INDIVIDUALLY
AND AS THE SUCCESSOR-IN-
INTEREST OF BEN CASILLAS JR; AND
BEN CASILLAS, SR., AS GUARDIAN
AD LITEM FOR R. C., A MINOR AND V.
C., A MINOR,

Plaintiffs,

v.

BAYER CORPORATION and DOES 1 to
100, inclusive

Defendants.

Case No: 3:2023-cv-01609-AMO
c/w 3:2023-cv-02199-AMO

**NOTICE OF AND APPLICATION
FOR LIEN**

[Labor Code §3856]

and

**REQUEST FOR NOTICE (corrected
Proof of Service)**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

APPLICATION FOR LIEN

1 NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, under
2 California Labor Code section 3856 and on the following grounds, claims and applies for a first
3 lien in a currently undetermined amount against any settlement or judgment in this action, for
4 workers' compensation benefits paid to or on behalf of BEN CASILLAS, JR., the ESTATE OF
5 BEN CASILLAS, JR. and the heirs of BEN CASILLAS, JR., and SAUL SANCHEZ, before payment
6 of any settlement or satisfaction of any judgment.

7 Please take further notice that the workers' compensation benefits may be continuing, and
8 that the lien may be increasing. Please contact lien claimant's attorney for periodic updates on
9 changes in the amount of the lien.

10 Please take further notice that rights pursuant to Labor Code section 3857, 3858 and 3861
11 are *not* waived.

12 **REQUEST FOR NOTICE**


13 Lien claimant NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH,
14 PA hereby requests that it be served, through its attorney of record, with a copy of each pleading,
15 discovery and/or served paper on behalf of all parties in this action, as well as any Judgment or
16 Notice of Settlement in the action, in order to allow lien claimant the opportunity to perfect its lien.

17 All parties to this action are requested to place lien claimant's attorney on their respective
18 Proofs of Service to ensure timely service of all relevant documents.

19 DATED: June 28, 2023

LAUGHLIN, FALBO, LEVY & MORESI LLP

20
21 By: —


Robert B. Javan
Attorneys for Lienholder,
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA

PROOF OF SERVICE

Case : BEN CASILLAS JR, et al. vs. BAYER CORPORATION, et al.
Case # : 3:2023-cv-01609-AMO c/w 3:2023-cv-02199-AMO
Court : United States District Court – Northern District of California – San Francisco Division

I declare that:

I am employed in the City of Concord, California. I am over the age of eighteen years and not a party to the within cause; my business mailing address is One Capitol Mall, Suite 400, Sacramento, CA 95814.

On, June 28, 2023, I served in said cause, as follows:

- **NOTICE OF AND APPLICATION FOR LIEN AND REQUEST FOR NOTICE (corrected Proof of Service)**

SEE ATTACHED SERVICE LIST

☐ **U.S. MAIL\CERTIFIED**: I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses as set forth below and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service at Fresno, California, in a sealed envelope with postage fully prepaid.

☐ **FAX TRANSMISSION**: I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

☒ **EMAIL or ELECTRONIC TRANSMISSION**: Per California Code of Civil Procedure §1010.6 this party has elected to serve the above-referenced documents on the other represented parties herein by electronic service. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ **State**: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED on June 28, 2023 at Lake Forest, California.



Katharine Robles

SERVICE LIST**Attorneys for Defendant – Bayer Healthcare LLC, erroneously sued as Bayer Corporation**

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